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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1854 of 2005
IN
INCOME TAX APPEAL LODGING NO.811 OF 2005

The Commissioner of Income-tax
Mumbai ..Appellant

Vs.

M/s.Shah & Khandhar Bros.....Respondents

Mr. P.S. Sahadevan with Mr. A.S. Rao for the Appellant.

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 23rd October, 2007

P.C.:

. The delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the Appeal Memo and considering the affidavit in support of the Notice of Motion, in our opinion, the cause shown would amount to sufficient cause. Hence, delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

2. Office to register the Appeal.

(J.P.DEVADHAR, J.) **(F.I.REBELLO, J.)**